



3628

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Gastineau et al.

Application No.: 09/536,258

Filed: March 27, 2000

For: **HEDGING EXCHANGE TRADED
MUTUAL FUNDS OR OTHER
PORTFOLIO BASKET PRODUCTS**

Art Unit: 3628

Examiner: Charles

TRANSMITTAL OF RESPONSE TO OFFICE ACTION

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

- ☒ Response to Office Action;
- ☒ Exhibit A: SEC Concept Release, November 2001;
- ☒ Exhibit B: TheStreet.com, May 16, 2000;
- ☒ Exhibit C: TheStreet.com, May 16, 2001;

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached hereto) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to ***Mail Stop Amendment***, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 18, 2005
Date of Deposit

Robin L. Clow
Name of Person Mailing Paper

B. Clow
Signature of Person Mailing Paper

- ☒ Exhibit D: The Wall Street Journal, May 16, 2000;
- ☒ Exhibit E: The Wall Street Journal, January 11, 2005;
- ☒ Exhibit F: The Wall Street Journal Europe, September 26, 2000;
- ☒ Exhibit G: Sovereignwealth.com, 2001;
- ☒ Exhibit H: Financial Research Corp., May 31, 2000;
- ☒ Declaration of Charles A. Baker Under CFR §1.132; and
- ☒ Postcard

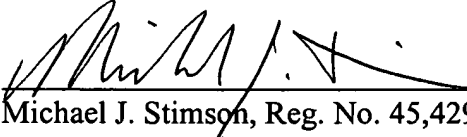
Applicant believes no fees are due in connection with this transmittal. However, if any fees are in fact due, the Commissioner is hereby authorized to charge to our Deposit Account No. **08-3038** referencing Docket No. **00322.0007.NPUS00**.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. **08-3038** referencing Docket No. 00322.0007.NPUS00.

Respectfully submitted,

HOWREY SIMON ARNOLD & WHITE, LLP

Date: March 18, 2005


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